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असाधारण

EXTRAORDINARY

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PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह प्रलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## MINISTRY OF FINANCE

(Department of Revenue and Insurance)

### NOTIFICATIONS

*New Delhi, the 25th February 1967*

**S.O. 692.**—In exercise of the powers conferred by sub-rule (2) of rule 1 of the Defence of India (Fourth Amendment) Rules, 1962, the Central Government hereby appoints the 1st March, 1967, as the date on which rules 5, 9 and 10 of the Defence of India (Fourth Amendment) Rules, 1962, shall come into force.

[No. F. 1/58/66-GC.II.]

**S.O. 693.**—In exercise of the powers conferred by sub-rule (2) of rule 126-CC of the Defence of India Rules, 1962, the Central Government hereby specifies the following conditions, limitations and restrictions under which gold shall be received, melted, assayed, alloyed, refined or subjected to any other process by a refiner, namely:—

1. **Central Excise Officer to be posted at every refinery.**—There shall be attached to every refinery one or more Central Excise Officers (hereinafter referred to as the "Refinery Officer"), as may be necessary for the purpose of supervising the work done in the refinery.

2. **Receipt of gold.**—Every refiner shall—

- (i) before receiving any gold from any person verify that such person has a lawful right to deliver or sell such gold to him.
- (ii) receive and weigh such gold in the presence of the Refinery Officer and enter every gold received by him in a register (in form I), to be known as the "Register of Gold Received";

- (iii) check the purity of every gold received by him and enter such purity in the Register of Gold Received but where it is not possible to check the purity of gold without any further process, such gold shall be stored separately thereafter such gold shall be melted in the presence of the Refinery Officer and the purity of gold as ascertained by melting shall be entered in the Register of Gold Received;
- (iv) the gold received under sub-rule 6(c) of rule 126CC from any person engaged in refining silver or recovered by the refiner himself in the process of refining silver, shall be entered distinctly and separately in the "Register of Gold Received" suitably indicating in Column 4 of that register that the particular receipt is from a silver refiner or, as the case may be, recovery made by him as a result of refining silver;
- (v) prepare a serially numbered receipt in triplicate for the gold delivered or sold to him and give the original copy of the receipt to the person by whom gold was delivered or sold to him, hand over the duplicate copy of the receipt to the Refinery Officer and retain the triplicate copy with him. The Refinery Officer shall send, in monthly batches, not later than the 7th of the month immediately following the month in which they were delivered, the receipts received by him to the Superintendent of Central Excise within the local limits of whose jurisdiction the refinery is located;
- (vi) keep gold received from each person in separate sealed bags;
- (vii) store every sealed bag in an iron safe, cupboard or such other place as may be approved for the purpose by the Refinery Officer.

**3. Working hours of refineries.**—(1) No refinery shall operate on any day other than a working day and for more than eight hours in a day.

(2) The period of eight hours referred to in sub-paragraph (1) shall ordinarily be between 10.00 hours and 18.00 hours but the Collector may, having regard to the local conditions and usages, specify any other hours.

(3) Notwithstanding anything contained in sub-paragraphs (1) and (2) a refinery may operate on a holiday or on a working day before or after the specified hours if—

- (i) intimation, in writing, about such operation is given 24 hours in advance to the Refinery Officer, and permission obtained for working the refinery beyond the prescribed hours;
- (ii) payment of overtime supervision charges, is made at the rates prescribed by the Government for Central Excise Officers in the Board's order F. No. 4/43/56-CXMI dated the 1st October, 1956, as in force for the time being.

**4. Security of Refineries.**—(1) Every refiner shall take such steps as would ensure that when the premises are closed, no one has any ingress into, or egress from, the refinery.

(2) Every iron safe, cupboard or place (inside a refinery) where gold is kept prior or subsequent to refining or, where gold, being in the process of refining, is stored pending the completion of such process, shall be fully closed and the doors thereof shall be under double lock and the keys of one of such locks shall be with the refiner and the keys of the other lock shall be with the Refinery Officer.

**5. Processing.**—(1) For the purpose of processing, gold shall be issued for refining under the supervision of the Refinery Officer and every gold issued for refining shall be entered in the Register of Processing which shall be in Form II.

(2) Every lot of gold which is issued for processing shall be entered in a process card containing the following particulars, namely:—

- (i) the serial number on the Process Register,
- (ii) date of issue of the gold for processing,
- (iii) the weight of gold issued for processing, and
- (iv) the weight of gold received after processing.

6. **Samples.**—(1) Every refiner shall draw dip samples, in duplicate, in the presence of the Refinery Officer, from each processing lot melted for refining (i.e. before the addition of silver or other metals required to be added for refining). These samples shall be preserved by him in properly identifiable bags until such time as the process or refining of the particular lot of gold to which such sample relates has been completed and the gold so refined has been tested and particulars thereof entered in the register.

(2) The Refinery Officer may, in his discretion—

- (i) select any one or more of the samples referred to in sub-para (1) or
- (ii) take from the refinery such fresh dip or cut samples of gold as he may think fit, and

forward such samples to the Mint for assay or test. Where a sample is sent to the Mint for assay, the duplicate of that sample shall be kept in a sealed bag in safe custody with the refiner pending receipt of the report of assay or test.

(3) Any officer of a Government Mint authorised by the Administrator in this behalf may—

- (i) make such visits to a refinery as he may think fit;
- (ii) select any of the samples referred to in sub-paragraph (1);
- (iii) take samples of gold, at random, at its molten stage and test its fineness;
- (iv) take, at random, cut samples of standard gold bars for testing their fineness and return such cut pieces to the refiner after such test;
- (v) take samples at random, of standard gold bars in stock with the dealers or goldsmiths, and
- (vi) check the weight and other particulars of the standard gold bars manufactured at the refinery.

(4) (i) Where a sample is sent to the Government Mint for assay or test, the cost of transportation of such sample to and from the Mint shall be borne by the Government.

(ii) the sample shall be returned to the refiner after it has been assayed or tested,

(iii) the loss, if any, occurring in assaying or testing any sample shall not be borne by the Government.

(5) Every Central Excise Officer, superior in rank to the Refinery Officer, who pays any visit to a refinery may make such checks or cross-checks of the tenders of gold received for refining, the lot issued for or under processing, and the standard gold bars manufactured therein, with reference to the entries in the registers and accounts maintained by the refiner or otherwise, as he may consider necessary or appropriate.

7. **Delivery.**—(1) No primary gold or standard gold bar shall be delivered to any person other than—

- (i) a licensed dealer, or
- (ii) a certified goldsmith, or
- (iii) any person specially authorised or permitted by the Administrator to receive such gold.

(2) The refiner shall make out vouchers, in triplicate, and shall hand over the original copy of the voucher to the person to whom the gold has been delivered, the duplicate to the Central Excise Officer and retain the triplicate. The Refinery Officer shall send, in monthly batches, not later than the 7th of the month immediately following, the copies of vouchers received by him, to the Superintendent of Central Excise within the local limits of whose jurisdiction the refinery is located.

The voucher shall include—

- (i) the serial numbers of the standard gold bars delivered by him with the date of manufacture thereof,
- (ii) the particulars of persons to whom such gold bar is sold or delivered, and the number of the licence, certificate, authority or permit held by him.

**8. Remnants.**—(1) Whenever any remnants of less than ten grammes remain after the manufacture of standard gold bars, such remnants of gold may be included in the subsequent processing lot and entries showing that they have been so included shall be made under the third column of the Register of Processing

(2) Where gold delivered by the dealer or goldsmith does not, on refining, yield complete bars of any specified dimensions and weight and some remnants remain, the refiner may—

- (i) appropriate the remnant and pay to the dealer or goldsmith the price of such remnant or deliver a complete bar of the nearest dimension to the dealer or goldsmith and recover the price of the balance of the gold contained in the complete standard gold bar, or
- (ii) keep a running account in relation to such dealer or goldsmith and make adjustments for the remnants in the deliveries made subsequently to the same dealer or goldsmith.

## FORM I

*Register of Gold received*

S. No. of the tender	Date of receipt of the tender	Name of person from whom received	No. of the dealer's licence certificate. No. of the particulars of declaration or authorisation	Description of gold tendered	Weight of gold
1	2	3	4	5	6

Purity (in carats) or percentage	No. of voucher issued by the Refiner	Signature of the tenderer	Remarks
7	8	9	10

FORM II

### Register of Processing

S. No. of processing	Date of processing	Item No. of the Register of Gold Received issued for processing in each muster	Total weight of gold issued	Weight after re-fining	Purity of refined gold
1	2	3	4	5	6

S. Nos. of the standard bars	Remnants No. of pieces and weight	Remarks
7	8	9

## FORM III

*Register of Standard Gold Bars*

Sl. No.	No. of the bars	S. No. of the processing from which manufactured	Weight and purity of the bars	To whom sold/delivered
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1	2	3	4	5
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Particulars of the licence or certificate of the person to whom delivered	No. of voucher under which gold delivered	Remarks
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6	7	8
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[No. F. 1/73/66-GC.II]

## ORDERS

*New Delhi, the 25th February 1967*

S.O. 694.—In pursuance of sub-rule (6) of rule 126-CC of the Defence of India Rules, 1962, the Central Government hereby directs that every person who recovers the gold in the process of refining silver shall maintain in form IV a record of the gold so recovered and shall declare such gold in form V

## FORM IV.

*Record of gold recovered.*

Name of the Silver Refiner.

Address of the silver Refiner.

Sl. No.	Qty. of gold recovered	Date of recovery	Qty. of silver refined from which gold recovered	Date of declaration
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1	2	3	4	5
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Name of person to whom sold	Date of sale and particulars of sale voucher	Remarks
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6	7	8
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## FORM NO. V

(Declaration of gold recovered)

1. Name of Silver Refiner.

2. Address of the Silver Refiner.

I hereby declare that during the month of ..., 196 , the following quantity of gold was recovered in my Silver Refinery.

Sl. No.	Date of recovery of gold	Weight of gold recovered	Purity	No. of pieces
1	2	3	4	5

Total weight of gold recovered in the month

I have read Part XIIA of the Defence of India Rules 1962 and affirm that the above declaration is true and correct.

Signature of the proprietor of the Silver Refinery

[No. F. 1/73/66-GC.II.]

**S.O. 695.**—In pursuance of clause (i) of rule 126-A, read with rule 126-CC, of the Defence of India Rules, 1962, the Central Government hereby makes the following order, namely:—

1. **Specifications of standard gold bars.**—Standard gold bars shall not be of any specification other than those specified in the Table below, namely:—

(i) Weight	. . . . .	10, 50 or 100 grams.
(ii) Fineness	. . . . .	995.0 per mille.
(iii) Dimensions	. . . . .	

Weight of bar	Length	Breadth
(a) 100 gm bar . . . . .	34.0 mm	22.0 mm
(b) 50 gm bar . . . . .	25.0 mm	15.0 mm
(c) 10 gm bar . . . . .	16.0 mm	11.0 mm

2. **Moulds and dies to be obtained from Government Mint.**—No refiner shall manufacture standard gold bars except with the help of the moulds and dies purchased by him from the Government Mint at Bombay.

3. **Weightment.**—Every standard gold bar manufactured at a refinery shall be weighed in the presence of the Central Excise Officer attached to the refinery before it is deposited in the approved place of storage and shall be entered in the Register of Standard Gold Bars, which shall be in form III

4. **Stamping.**—Every refiner shall put a stamp containing the particulars specified in the Schedule on each piece of standard gold bar manufactured at the refinery owned or occupied by him

## THE SCHEDULE

**Markings.**—These will include on the obverse name or trade mark of the refinery, fineness of the bar and weight of the bar and on the reverse the serial number of bar, date and year of manufacture and the code letter of the refinery.

(Serial number of the bars will change on the first day of every month. Separate serial numbers may be used for the bars of 10, 50 and 100 grams weight)

[No. F. 1/73/66-GC.II.]

**S.O. 696.**—In pursuance of sub-rule (3) of rule 126-CC, read with rule 126-X, of the Defence of India Rules, 1962, the Central Government hereby makes the following order, namely:—

1. If a refiner carries on, in the same premises, the business of refining silver, or other metal, he shall suitably segregate the place where gold is refined and if such physical segregation is not feasible, he shall maintain separately detailed records of the tender of silver or other metal for refining and the quantity of silver refined and delivered.

2. No refiner shall mix up the process of refining gold and the process of refining silver.

3. No refiner shall carry on the business of refining silver on any day other than a working day and at any time between 10.00 hours and 18.00 hours:

Provided that where the refiner intends to carry on the business of refining silver before 10.00 hours or after 18.00 hours, he shall give advance intimation of his intention to do so to the Central Excise Officer attached to the refinery.

4. Gold, if any, recovered after refining silver shall, as and when recovered, be entered distinctly and separately in the "Register of Gold Received".

**Explanation.**—Nothing in this order shall apply to silver used, recovered or refined in the process of or ancillary to refining of gold.

[No. F. 1/73/66-GCIL.]

**S.O. 697.**—In exercise of the powers conferred by sub-rule (1C) of rule 126-H of the Defence of India Rules, 1962, the Central Government hereby specifies the manner in which and the conditions subject to which every sale or delivery of primary gold shall be made in pursuance of the provisions of sub-rule (1B) of that rule, namely:—

1. (a) Every person who was not required to make a declaration under rule 126-I of the Defence of India Rules, 1962, shall, before selling or delivering any primary gold in pursuance of the provisions of sub-rule (1A) of rule 126-H, make application to the Superintendent of Central Excise within the local limits of whose jurisdiction he resides (hereinafter referred to as the Superintendent of Central Excise), for permission to sell or deliver such gold and such application shall be in the form of a simple letter which shall contain the following particulars, namely:—

- (i) name and address of the applicant;
- (ii) where the applicant is not himself the owner of the gold sought to be sold or delivered, the name and address of the person who owns such gold and the *locus standi* of the applicant to sell or deliver such gold;
- (iii) weight, number of pieces, broad description and purity, if known, of the gold;
- (iv) place where the gold was kept;
- (v) whether the applicant had sold or delivered any other gold after the commencement of Part XIIA of the Defence of India Rules, 1962, and if so, the particulars thereof;
- (vi) whether the applicant owns or has any other primary gold in his possession, custody or control.

(b) The Superintendent of Central Excise shall, if satisfied, after making such inquiries as he may think fit, that the applicant is lawfully entitled to sell or deliver such gold, make, in triplicate, a permit in the form specified in the Schedule.

(c) The Superintendent of Central Excise shall deliver the original and the duplicate copy of the permit referred to in sub-paragraph (b) to the applicant personally or, where the applicant omits or fails to accept the same personally, send the same to him by registered post, acknowledgement due.

(d) The Superintendent of Central Excise shall maintain, in the form specified in the Schedule, a record of the applications received for permission to sell or deliver primary gold and the permits issued by him authorising such sale or delivery.

(e) The applicant shall deliver both the original and the duplicate copy of the permit to the refinery, dealer or goldsmith, as the case may be, to whom the gold is sold or delivered and such refiner, dealer or goldsmith, as the case may be, shall make an endorsement on the original copy of the permit stating the date of the purchase or delivery of the gold together with the particulars of the sales voucher and receipt issued by him and send the same to the Superintendent of Central Excise within three days from the date on which the gold was sold or delivered.

2. (a) Every person who has made a declaration under rule 126-I of the Defence of India Rules, 1962, shall, if he intends to sell or deliver any primary gold in pursuance of the provisions of sub-rule (1B) of rule 126-H, present such gold together with the declaration made by him to the refiner, dealer or goldsmith, as the case may be, to whom such gold is proposed to be sold or delivered.

(b) Every dealer, refiner or goldsmith purchasing or receiving, as the case may be, any gold referred to in sub-paragraph (a) of paragraph 2, shall satisfy himself that the gold has been duly included in the declaration and shall thereupon make an endorsement on the declaration indicating the date and quantity of gold sold or delivered to him and the particulars of the sales voucher issued by him.

(c) The voucher referred to in sub-paragraph (b) shall include the following particulars, namely:—

(i) name and address of the person from whom the gold was purchased or received and the particulars of the declaration made by that person in respect of such gold under rule 126-I of the Defence of India Rules, 1962;

(ii) weight, description, number of pieces and the purity of the gold;

(iii) date of purchase or receipt of gold.

(d) A copy of every voucher referred to in sub-paragraph (c) shall be forwarded by the refiner, dealer or goldsmith, as the case may be, to the Superintendent of Central Excise to whom the said declaration was made.

3. The Superintendent of Central Excise shall, by the 10th day of every month, send to the Collector of Central Excise, and a copy thereof to the Deputy Secretary, Regional Office of the Gold Control Administrator at Bombay, a statement—

(i) of the applications received and the permits issued during the month immediately preceding in accordance with paragraph (1), showing the name and address of the applicant, the date of receipt of the application, the date and number of permit issued and the quantity covered by the permit;

(ii) of the voucher referred to in sub-paragraph (d) of paragraph 2 and showing the particulars contained in these vouchers.

#### THE SCHEDULE

[Here insert the forms]

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Sl. No.	Name and address of the applicant	Quantity for which permit has been applied for	Date of receipt of application	Date of issue of permit	Date of return of permit by the dealer	Name and address of the dealer who has purchased the gold
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Separate accounts should be kept in this Register and the names of the applicants in alphabetical order to facilitate verification and indexing of applicants.



OFFICE OF THE SUPERINTENDENT OF CENTRAL EXCISE,

.....(Place)

Under Rule 126 H(3), read with rule 126(H) (1C), of the Defence of India Rules, 1962 Shri/ Shrimati.....of..... has been granted this permit, with  
(name) (address)  
reference to his/her application dated..... to sell.....gram,  
deliver (quantity)

to any dealer/refiner  
of primary gold ..... licensed under the Defence of India  
to licensed dealer/certified goldsmith  
Rules, 1962. This permit is valid upto.....(date).

Shri/Shrimati.....is required to deliver this permit together with the  
to the licensed dealer/refiner to whom the sale is made  
gold .....  
to licensed dealer/certified goldsmith to whom gold delivered for conversion into ornaments  
purchasing

2. The latter is hereby required to recover this permit on his.....the gold and to for-  
ward it to the undersigned within three days of making the purchase with an endorsement showing  
receiving  
the date of ..... purchase  
with particulars of sale voucher, if any.  
receipt

Signature :

Place:

Designation :

Date:

Seal.

To

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.....  
.....

[No. F. 1/70/66-GC II.]

JASJIT SINGH, Jt. Secy.

